



Express Mail Label No. EV 125371685 US

103080-P01-029¹

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael West and Karen Chapman
Application No. : 10/685,693
Confirmation No. : 6774
Filed : October 16, 2003
For : METHOD USING GENE TRAPPED STEM CELLS FOR
MAKING PATHWAYS OF STEM CELL DIFFERENTIATION
AND MAKING AND ISOLATING DIFFERENTIATED CELLS
Group Art Unit : 1633
Examiner : Scott Long

New York, New York
November 20, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement set forth in the Office Action mailed May 18, 2006 in the above-identified application, Applicants hereby elect, with traverse, the subject matter of Group I, claims 1-102, for continued examination.

¹ This attorney docket number, 103080-P01-029, replaces previous docket number 60141.0041USU1.

The Examiner also requests two further species elections. With respect to the species election of nucleotide sequence that encodes a protein, Applicants elect, with traverse, Species Ia, a fluorescent protein. Claims 1-14, 16-80, 83-90, 92, and 94-102 read on the elected species of a fluorescent protein. With respect to the species election of embryonic stem cell, Applicants elect, with traverse, Species I-5, a human embryonic stem cell or germ cell. Claims 1-42, 60-83, and 89-102 read on the elected species of a human embryonic stem cell or germ cell.

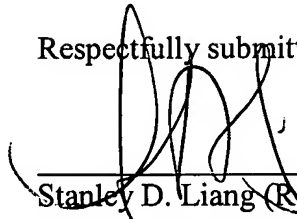
Applicants submit concurrently herewith a Petition for a five-month extension of time under 37 C.F.R. § 1.136(a) and the fee required under 37 C.F.R. § 1.17(a)(5). With the extension of time, the deadline for filing a response is Monday, November 20, 2006 (November 18, 2006 being a Saturday and November 19, 2006 being a Sunday). Accordingly, this response is timely filed.

Applicants expressly reserve the right to pursue the non-elected subject matter in this or subsequent applications that claim benefit from this application or in related applications.

Application No.: 10/685,693
Response to May 18, 2006 Restriction Requirement

Applicants request favorable consideration of the application and early allowance
of the pending claims.

Respectfully submitted,



Stanley D. Liang (Reg. No. 43,753)
Attorney for Applicants

FISH & NEAVE IP GROUP
ROPES & GRAY LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000
Fax: (212) 596-9090